

Subsection (a)(2) of this section is new and added to state expressly that a court may consider relevant factors. Accordingly, former FL § 5-316(2), which provided only for consideration of religious background, is omitted as unnecessary.

Subsection (a)(3) of this section is new and added to reflect the requirements of the referenced regulations of the Department, in COMAR 07.02.12.10.

In subsection (a)(1) of this section, reference to a "local department" is substituted for the former reference to "the Social Services Administration", to conform to current FL Title 5, Subtitle 4.

Also in subsection (a)(1) of this section, the former word "maintenance" is omitted as included in the defined term "support".

In subsection (b) of this section, reference to being "unmarried" is substituted for the former reference to "not hav[ing] a spouse".

Defined terms: "Child" § 5-301

"Child placement agency" § 5-101

"Department" § 5-101

"Juvenile court" § 1-101

"Local department" § 1-101

"Support" § 1-101

#### 5-350. AUTHORITY TO GRANT ADOPTION.

##### (A) CONSENT.

A JUVENILE COURT MAY ENTER AN ORDER FOR A CHILD'S ADOPTION UNDER THIS PART IV OF THIS SUBTITLE ONLY IF:

(1) FOR AN INDIVIDUAL UNDER THE AGE OF 18 YEARS, THE INDIVIDUAL'S GUARDIAN CONSENTS; AND

(2) FOR AN INDIVIDUAL WHO IS AT LEAST 10 YEARS OLD, THE INDIVIDUAL CONSENTS.

##### (B) WITHHOLDING CONSENT.

A GUARDIAN MAY NOT WITHHOLD CONSENT FOR THE SOLE REASON THAT THE RACE, RELIGION, COLOR, OR NATIONAL ORIGIN OF A PROSPECTIVE ADOPTIVE PARENT DIFFERS FROM THAT OF THE CHILD OR PARENT.

COMMITTEE NOTE: This section is derived from former FL § 5-311(b).

In subsection (a)(1) of this section, reference to a "guardian" of an individual "under the age of 18 years" is substituted for the former reference to the "executive head of the child placement agency that has